

THE JAIL A COSTLY HOTEL

HENRY S. IVES LIVED IN CLOVER.

BUT HE SAYS THAT HE PAID \$10,000 TO THE WARDEN—OTHER TESTIMONY BEFORE THE FASSETT COMMITTEE.

The State Senate Committee on Cities heard yesterday in Part II of the Superior Court the evidence of several men who believe from said experience, that a radical change should be made in the constitution and administration of the Sheriff's office. All the members of the committee except State Senators Hendricks and McNaughton were present. Senator Fassett presided.

The witness whose testimony excited most interest was Henry S. Ives. Mr. Ives, much to his dislike, was recognized by everybody in the crowded room as soon as he entered it, and, showing his way to the furthest corner, stood shielding his face with his hat until he was called to the stand.

He was exceedingly nervous when he took his seat in the witness-chair. Mr. Boardman asked him if he had most of the examining, asked him if he had been an inmate of Ludlow Street Jail.

"Yes," he replied, "from January 29, 1889, to March 17, 1890." He was arrested and confined, he added, on a civil process, and B. F. Martin, McGonigal and Deputy Sheriff Towne made the arrest.

"What occurred when they arrested you?" he was asked.

"Don't know. An exchange of courtesies."

"They told you that they had come to make this arrest?"

"That may have been so. I examined the process."

"Did you ask any favor of them?"

"No."

"Did you tell them who your lawyer was?"

"No."

The witness made these replies in a low voice, and with such a manner that Mr. Boardman asked him if he was reluctant to testify.

"No," he replied.

"But," said Mr. Boardman, "is it your feeling that if you made any arrangement with these men, and if your disclosure of it would do them harm, you would rather not, as a gentleman, do close?"

"Well, yes," was the reply. "I would have that feeling if there was anything to disclose."

With this information Mr. Boardman skilfully proceeded to induce Mr. Ives to make all the disclosures wanted. Mr. Ives is a wit. Many of his answers were "smart" and mirth-provoking. Under the influence of the general hilarity which he caused more than once (and Mr. Boardman's laugh was not the least loud) Mr. Ives warmed and blossomed out, told a highly interesting story, and left the chair in high good humor.

He said that he was arrested on a Saturday, and that it was next Monday night before he got to jail. Mr. Boardman asked:

"Q.—Where did you spend your intervening time? A.—At the Sinclair House."

"Q.—In whose company? A.—In the company of the defendant, who made the arrest."

"Q.—What is to say, you spent in their company from noon Saturday till Monday night? A.—Yes."

"Q.—Did you go anywhere? A.—We went to my office and my lawyers' office. Mr. Steiner was in our company."

"Q.—Did you have any particular lawyer who had dealings on your behalf with the Sheriff? A.—Yes. Mr. Johnson."

"Q.—How much money was paid to the deputy sheriffs for their kindness until you were incarcerated? A.—I don't know exactly how much the arrangements Mr. Johnson told me it was all right."

"Q.—How long ago? Later how much it took to make it all right? A.—There were a good many things to be made all right."

"Q.—Take all these things and tell me what was the first payment you made? The money ultimately came out of your pocket? A.—Yes, sir."

"Q.—Mr. Johnson didn't pay anything? A.—(hesitatingly) No, sir."

"Q.—What was settled with Mr. Johnson? A.—Yes, sir. His fee amounted to \$14,000."

"Q.—Did Mr. Johnson tell you about payments to the deputy sheriffs? A.—He spoke of \$200 to each witness mentioned."

"Q.—Was there one thousand mentioned? A.—Peraps so."

Senator Fassett—who settled with the deputy sheriffs—A.—"I suppose the lawyers did."

"Q.—You paid \$14,000 to Mr. Johnson in cash? A.—Exact cash."

"Q.—It was very important for you to remain in jail for that period? A.—Not more than any other period."

"Q.—Did you want to attend to business? A.—I think it was reluctantly to get to jail."

"Q.—What did you pay out? Was it too expensive? A.—I thought I might as well go to jail. (Laughter.)"

Mr. Ives went on to say that when he got to Ludlow Street Jail he found that prisoners were classified into those who could not pay their way and those who could. He belonged to the latter class. Those who could not pay their way slept "upstairs" in the jail, and "downstairs" implied something like hotel life. There was also a difference in food.

"Can you tell?" asked Mr. Boardman, "how much you and Steiner paid the warden when you were there, approximately."

"Ten thousand dollars," said Mr. Ives.

Half of the audience whistled, and Senator Fassett rapped for order. Then the examination proceeded as follows:

"Q.—Did you pay the money into the hands of James K. Keating?" A.—Yes."

"Q.—Had you a private table? A.—I had at first, but I gave it up."

"Q.—Is it long since you ceded to have a table to yourself? A.—Since last fall—September, October or November."

"Q.—What happened then? A.—Nothing happened. I gradually adjusted myself to doing with the regular people, that is to say, with the people who paid their way. The change was a matter of economy."

"Q.—Was there any difference in the character of the food? A.—Yes."

"Q.—Did you pay the regular price paid for board? A.—Yes. \$15 a week."

"Q.—That was the justification of the payments of \$10,000 to the warden, made by Steiner and your self? A.—We had three or four strangers and two writers that we had people coming in to visit us and a servant."

"Q.—Did you ever sleep upstairs? A.—Yes, for the last three or four months."

"Q.—Was there any difference in price? A.—I believe there is."

"Q.—Ten thousand dollars," said Mr. Ives.

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"Q.—Did you pay the money into the hands of Philip H. McNamee told of the case of a Mr. Eller who, when he was arrested from a Saturday night, had paid something like \$200 to the warden, and who had been arrested again later, and had then to pay \$200 a day for "privileges."

"S. E. Kneeland, a lawyer, who has had business with the Sheriff's office, told me he had paid \$10,000 or \$15,000 for "privileges" fees during Sheriff McNamee's reign. He had not known that the Sheriff got half of these fees."

"Q.—Did you consider that was simply robbery of your clients?"

"I would consider, if I had arranged with an attorney to pay him \$10,000 or \$15,000 under the assumption that it was to be paid to the warden, when he was arrested, I would be compelled to pay him \$10,000 or \$15,000."

"William J. Campbell, another lawyer, was called to the stand. Corporation Counsel Clark objected to his examination on the ground of his connection with suits pending against Mr. Steiner and Senator Fassett, told that he would give no details in the case until Senator McNaughton could be consulted.

The committee, which held its afternoon session, will meet again to-morrow in the Court of Common Pleas.

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TO TAKE MRS. BIRCHELL TO ENGLAND.

David Stevenson, father of Mrs. J. Recindal Birchell, whose husband is charged with the murder of Frederick C. Benwell, arrived from London on Monday evening. With him were Mrs. West Jones, an older sister of Mrs. Birchell, and C. W. C. Butler, Justice of the Peace for Surrey and London, and formerly High Sheriff of London and the County of Middlesex. Mr. Birrell, a friend of Mr. Stevenson, and will go to England with him, and will remain there until the trial of his wife is over.

The Birchells had planned to go to America, but the wife had been ill, and they had been unable to leave.

Mr. Stevenson said that the object of his visit was to raise money to help his wife, and he believed that she would be well enough to travel when he returned.

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